

S/N 09/960,464

PATENT

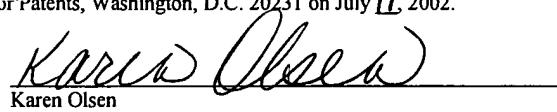
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: UCKUN ET AL. Examiner: UNKNOWN
Serial No.: 09/960,464 Group Art Unit: 1680
Filed: 9/19/01 Docket No.: 12152.49USW1
Title: QUINAZOLINE FORMULATIONS AND THERAPEUTIC USE THEREOF



CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on July 17, 2002.


Karen Olsen

**STATEMENT OF FACTS IN SUPPORT OF FILING
ON BEHALF OF NONSIGNING INVENTOR (37 C.F.R. § 1.47)**

I, Keith Campbell, a citizen of the United States, residing in the State of Minnesota hereby declare:

1. This statement is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the nonsigning inventor for the above-identified patent application.
2. This statement is made by the available person having first-hand knowledge of the facts recited therein.
3. SEANG YIV, MINGSHU LI and FATIH M. UCKUN are joint inventors and have filed an application for patent in the United States entitled QUINAZOLINE FORMULATIONS AND THERAPEUTIC USE THEREOF.

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This application for patent was described and claimed in international no. PCT/US00/07066 filed March 17, 2000 and claimed the benefit of U.S. Provisional Application No. 60/125,147 filed March 19, 1999. The signatures of the joint inventors on the Combined Declaration and Power of Attorney are required to complete the application.

4. I called and spoke with Mr. Yiv on March 19, 2002 at 858-410-5234. We discussed the above referenced application, specifically a Combined Declaration and Power of Attorney for his signature.
5. Mr. Yiv stated that he received for his review and signature a copy of the above-referenced application and the Combined Declaration and Power of Attorney approximately one month prior to our March 19, 2002 conversation.
6. Mr. Yiv stated that he had not yet signed the Combined Declaration and Power of Attorney.
7. I sent a letter via certified mail to Mr. Yiv on March 26, 2002. The letter stated if I did not hear from Mr. Yiv within a week of his receipt of the letter, I would file a Petition under 37 C.F.R. 1.47 to proceed with prosecution of the application in spite of his refusal to sign. A copy of the March 26, 2002 letter is attached.
8. I phoned Mr. Yiv at his work place, (858) 410-5134, on April 4, 2002. Mr. Yiv indicated that he received my letter of March 26, 2002.
 - A. Mr. Yiv stated that after his initial review of the application, he determined that it would take many hours to review the application for accuracy.
 - B. Mr. Yiv stated that as he is no longer employed by the Parker Hughes Institute and as he has commitments to his current employer, he does not have time to review the application for accuracy, and he will not sign the Declaration and Power of Attorney at this time.

9. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such false statements may jeopardize the validity of the application or any patent issued thereon.

17 July 2002

Date

Keith Campbell

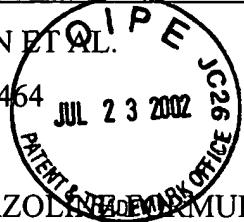
Keith Campbell

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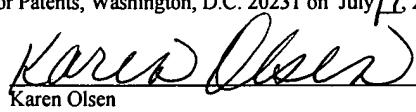
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Karen Olsen**STATEMENT OF FACTS IN SUPPORT OF FILING
ON BEHALF OF NONSIGNING INVENTOR (37 C.F.R. § 1.47)**

I, Karen Olsen, a citizen of the United States, residing in the State of Minnesota hereby declare:

1. This statement is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the nonsigning inventor for the above-identified patent application.
2. This statement is made by the available person having first-hand knowledge of the facts recited therein.
3. SEANG YIV, MINGSHU LI and FATIH M. UCKUN are joint inventors and have filed an application for patent in the United States entitled QUINAZOLINE FORMULATIONS AND THERAPEUTIC USE THEREOF.

This application for patent was described and claimed in international no. PCT/US00/007066 filed March 17, 2000 and claimed the benefit of U.S. Provisional Application No. 60/125,147 filed March 17, 1999. The signatures of the joint inventors on the Combined Declaration and Power of Attorney are required to complete the application.

4. We had relied on information provided by Anna Sayer, Administrative Assistant to the Director of Parker Hughes Institute, a person having first hand knowledge of the inventors working for Parker Hughes Institute, we tried contacting her to verify what precisely was sent to Inventor Yiv.

5. Anna Sayer had since left Parker Hughes Institute. I tried to contact Ms. Sayer, but was unsuccessful.

6. I tried to locate Inventor Yiv by searching the Internet using the last known address, provided to us by Anna Sayer. At the MSN White Pages website, I located a phone number associated with the address. A copy of the search from that website is attached.

7. I phoned the number on February 4, 2002 and left a voicemail message indicating I was calling for Seang Yiv, a former employee of Parker Hughes Institute and an inventor for the application entitled QUINAZOLINE FORMULATIONS AND THERAPEUTIC USE THEREOF and to please contact me regarding review of the application and signing of the Declaration and Assignment.

8. I followed up the voicemail with a letter and a copy of application, declaration and assignment via Express Mail to the last known address, 1725 Tattenham Rd., Encinitas, CA 92024. I followed up a couple days later with the US Post Office Tracking Website and the package had not been delivered.

9. On February 15, 2002, I received a phone call from Seang Yiv, returning my call. I explained to him that we needed him to review the application and if in order, sign the Declaration and Power of Attorney and Assignment documents. He provided me with his current address, 7877 Calle Oliva, Carlsbad, CA 92009 and I forwarded another copy of the application, Declaration and Power of Attorney and Assignment documents to this address by U.S. Postal Express Mail, Overnight Delivery. This package was delivered on February 21, 2002 and signed by V Yiv, a copy of this delivery status confirmation is enclosed.

10. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such false statements may jeopardize the validity of the application or any patent issued thereon.

7/17/02
Date

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Enclosures:

MSN White Pages Search Results (4 pages)

United States Postal Service Delivery Confirmation Status (1 page)